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Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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Federal Communications Commission
Office of the Secretary

Dear Ms. Seidel,

Subject: MariTEL proposed status as the AIS Frequency Coordinator

First, let me thank you for allowing me to speak directly with you last week and for the extra time your staff allowed me to share MariTEL's thoughts about its compliance with the requirements of FCC rule section 80.371.

As you are well aware, the United States Coast Guard ("USCG") and the National Telecommunications and Information Administration ("NTIA") have stated that it is critical that two channels for which MariTEL is authorized be used in connection with an Automatic Identification System ("AIS") network. MariTEL, as the licensee for all nine (9) maritime VHF Public Coast ("VPC") licenses, desires to participate in the development of the AIS industry in the United States so that the benefits of AIS technology can be recognized by the entire maritime industry, including both government and private stakeholders. As you are also well aware, MariTEL is required, under section 80.371 of the FCC's rules, to provide the USCG with access to two narrowband offset duplex channels for use in connection with the USCG's Ports and Waterways Safety System ("PAWSS").

MariTEL proposes a plan that satisfies both of these requirements. As I discussed with you last week, in lieu of providing up to (2) narrowband offset duplex channels for USCG use in PAWSS, we propose a solution that will accommodate the recent NTIA request for nationwide use of channel 87B in a wideband simplex mode. In particular, we propose that MariTEL remain the licensee of channel 87B, charged with administration of the channel for the benefit of the USCG and mariners. The adoption of our proposal is consistent with the current allocation for channel 87B and would permit MariTEL to operate as the exclusive AIS Frequency Coordinator in the U.S.

As you are aware, the FCC makes extensive use of private frequency coordinators in its wireless and satellite services. Virtually all use of channels dedicated for private land mobile operations under Part 90 of the FCC's rules is coordinated through the use of private entities who are permitted to charge fees for their services. Recently, for example, the FCC designated the American Society for Healthcare Engineering of the American Hospital Association (ASHE/AHA) to serve as the exclusive Wireless Medical

Telemetry Service ("WMTS") frequency coordinator. Any health care provider who wishes to use WMTS equipment at a given location must first register with ASHE/AHA and provide specified information for the WMTS database. The database records all WMTS equipment, identified by location, operating frequency, emission type and effective radiated power. It also contains the equipment manufacturer and model number for each deployed WMTS device, as well as contact information for each authorized health care provider. In an example outside the private land mobile sector, the FCC has recently moved the responsibility of cellular system identification number ("SID") coordination to the cellular industry. Similarly, the FCC has privatized the equipment certification process by recognizing Telecommunications Certification Bodies ("TCBs").

In each of these cases, the FCC imposed on regulatees the requirement to coordinate their operations with a non-government third party. In each instance, an entity that wishes to take a voluntary action (i.e., secure an FCC license, sell FCC authorized equipment, obtain a SID, etc.) must engage a non-government third party as a prerequisite to take that voluntary action. In MariTEL's case, it proposes that a vessel owner, who wishes to take the voluntary step of operating a vessel subject to the USCG's carriage requirement, engage MariTEL so that the vessel owner can use the AIS equipment that is required by the USCG. In order to engage in various FCC regulated activities, regulatees are required to work through a third party non-government entity. In the same way, in order to operate a vessel – a USCG regulated activity -- vessel owners will be required to work through MariTEL.

MariTEL envisions that the AIS Frequency Coordinator will process, record and update the Maritime Mobile Service Identity ("MMSI") numbers for vessel operators, shore stations and other fixed and/or mobile navigation devices. Additionally, MariTEL will coordinate the deployment of AIS shore station transmitters with the use of VPC base stations for marine and land mobile communications.

MariTEL AIS Frequency Coordinator Responsibilities and Services:

1. Process Maritime Mobile Service Identity (MMSI) applications and maintain a database of for all AIS transponders on vessels (mandatory carriage, optional carriage, and non-U.S. based SOLAS vessels).^{1/}
 - a. Accept applications, insure accuracy, and verify vessel registration information.
 - b. Provide the MMSI number from the FCC to the vessel operator.
 - c. Notify the USCG as to the operational date of the AIS transponder.
 - d. Identify MMSI cancellations to the FCC and/or USCG.
 - e. Provide the annual reports to the FCC and USCG.

^{1/} We recognize that the FCC has already permitted other entities to issue MMSI numbers. MariTEL envisions that those other entities will provide MariTEL with the information specified herein so that the MMSI numbers may be coordinated through MariTEL.

- f. Provide Internet based information communicating the location of USCG and non-USCG ports and waterways requiring AIS transponders.
 - g. Provide access to the MMSI database for other government agencies to include state and local.
- 2. Process MMSI applications for all shore stations and aids-to-navigation.
 - a. Process MMSI applications for government and non-government requests.
 - b. Maintain a data base of all approved USCG AIS shore stations and aids-to-navigation.
 - c. Perform RF engineering studies to insure no interference from marine or land mobile use of VPC spectrum. Coordinate AIS shore station sites with other VPC sites.
 - d. Annual renewal and update of information
 - e. Forecast potential frequency interference and provide engineering recommendations.
- 3. For an additional fee, unrelated to the required coordination, MariTEL will provide AIS Information Services derived from real-time data collected by approved shore stations and distributed to MariTEL.
 - a. Provide vessel location services for vessel operators.
 - b. Provide information to Marine Exchanges, Pilot's Association and Port/Harbor Authorities authorized by the USCG.
 - c. Provide State and Local governments with AIS information upon approval of the USCG

Initial Anticipated AIS Frequency Coordinator Fee Schedule:

Mandatory Carriage Vessels (per vessel)

- \$300 initial registration fee
- \$75 annual renewal fee

Non-mandatory Carriage Vessels (per vessel)

- \$375 initial registration fee
- \$75 annual renewal fee

Foreign SOLAS Vessels (per vessel)

- \$75 annual fee

Shore Stations (per site)

- \$4,500 initial fee for processing and RF engineering study
- \$750 annual renewal fee

Not only has the FCC recognized third party frequency coordinators, but also MariTEL's status as a Commercial Mobile Radio Services (CMRS) licensee provides an additional justification for it to charge subscribers for using its licensed spectrum.

MariTEL will therefore agree to permit the FCC to dedicate channels 87B and 88B for nationwide AIS use conditional upon the following actions:

- a. FCC to name MariTEL as the exclusive AIS Frequency Coordinator (per the above framework)
- b. FCC to eliminate MariTEL's VPC coverage requirements based on MariTEL's inability to effectively provision services along the coastline and navigable waterways as a result of simplex AIS operations on channels 87B and 88B.
- c. USCG to provide MariTEL real-time access to the AIS data to provision information and vessel location services to both private and non-federal government entities.
- d. Adoption of FCC rules that clarify the land/water line of demarcation where channels 87B and 88B need not be reserved for AIS operations.

I sincerely hope that this solution will resolve this long-standing issue. We expect to have MariTEL Board approval and include this proposal in response to the recent request of the NTIA to initiate a rule making proceeding that would reallocate channels 87B and 88B for AIS purposes. We believe that the foregoing is a better solution to the problems identified by the NTIA. Please let me know if you have clarification questions or suggestions.

Best regards,



Dan Smith